

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Rick Lee Garwood,

No. 24-cv-800 (KMM/LIB)

Plaintiff,

v.

ORDER

Minnesota State Patrol; Nick Otterson;
Morrison County Jail; Morrison County
Attorney's Office; and State of
Minnesota;

Defendants.

The above matter comes before the Court upon the Report and Recommendation (R&R) of United States Magistrate Judge Leo Brisbois, dated May 3, 2024. [ECF 6]. Pursuant to 28 U.S.C. § 1915A, Judge Brisbois recommends dismissing Mr. Garwood's lawsuit with prejudice on the ground that his claims fail as a matter of law for several reasons.

Mr. Garwood originally had until May 17, 2024 to submit objections to the R&R. However, the undersigned sua sponte extended that deadline when it appeared that Mr. Garwood might not have received the R&R due to being released from custody. A copy of the R&R was sent to his new address, and Mr. Garwood was given until July 11, 2024 to submit any objections. However, although that date is now two months past, no objections have been filed, and indeed Mr. Garwood has not participated in the litigation in any way.

In the absence of objections, the Court reviews an R&R for clear error. *Nur v. Olmsted County*, 563 F. Supp. 3d 946, 949 (D. Minn. 2021) (citing Fed. R. Civ. P. 72(b) and *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam)). Based on the Court's careful review of the R&R and the record in this case, the Magistrate Judge committed no error, clear or otherwise.

IT IS HEREBY ORDERED:

1. This matter is **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. § 1915A.
2. Mr. Garwood's application to proceed in forma pauperis [ECF 2], is **DENIED AS MOOT**.

Let Judgment Be Entered Accordingly.

Date: **September 13, 2024**

s/ Katherine M. Menendez

Katherine M. Menendez
United States District Judge